

**Motion to Place  
House Bill 566 on Second Reading**

Senator Owen asked unanimous consent to suspend the regular order of business and take up H. B. No. 576 for consideration at this time.

There was objection.

**Senate Resolution 557**

Senator Aikin offered the following resolution:

Whereas, We are honored today to have as visitors in the Capitol the Senior Class of West Delta High School of Klondike, Texas, accompanied by their sponsors, Mr. and Mrs. G. C. Doolin; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

**House Bill on First Reading**

The following bill received from the House was read first time and referred to the committee indicated:

H. B. No. 764, To the Committee on Counties, Cities and Towns.

**Adjournment**

On motion of Senator Hardeman the Senate at 5:00 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

**SIXTY-EIGHTH DAY**

(Thursday, May 16, 1957)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Bracewell
Ashley	Bradshaw

Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Lock	Willis
Moffett	Wood

**Absent—Excused**

Martin

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leave of Absence**

Senator Martin was granted leave of absence for today on account of illness on motion of Senator Aikin.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 907, A bill to be entitled "An Act providing for a resident hunting license, non-resident or alien hunting license, non-resident migratory birds hunting license; providing for a fee for each license created hereunder; providing for exceptions; providing for the form of each license herein created; providing for the issuance of a duplicate license; providing for a fee to the issuing officer of all hunting licenses; providing for a deer tag; providing for the collection, deposition and use of all monies collected because of this Act; providing for exemptions; prohibiting hunting under the license of another; requiring license holders to exhibit their license when requested by proper officer; providing for an effective date of this Act; repealing all laws

in conflict herewith; providing a penalty for violation of this Act; and declaring an emergency."

S. B. No. 323, A bill to be entitled "An Act requiring a permit for the selling, licensing, or otherwise authorizing the public performances for profit under a blanket license of certain copyrighted musical or dramatico-musical compositions; requiring the filing of copies of such agreements or licenses with the Secretary of State; providing for appointment of attorney for service of process by non-residents; providing that such activities by a corporation constitute doing business in this State; providing that that Act shall not impair or affect existing contracts; providing a penalty; providing that for severability of clauses and provisions; and declaring an emergency."

Respectfully submitted,

**DOROTHY HALLMAN,**

Chief Clerk, House of Representatives

#### Bill and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bill and resolutions:

H. B. No. 721, A bill to be entitled "An Act making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill, or possess any game bird or game animal in Comal County at any time; etc.; and declaring an emergency."

H. C. R. No. 106, In memory of Judge W. G. Gayle, Beeville, Texas.

H. J. R. No. 1, Proposing an amendment to Section 5 and 24 and authorizing a new Section of Article III of the Constitution of the State of Texas so as to provide for annual sessions of the Legislature; changing the compensation, per diem and travel expense of the members of the Legislature; authorizing temporary residence of the Lieutenant Governor and Speaker of the House in the Capitol; providing for an election; prescribing the form of ballot and providing for the necessary proclamation and publication.

H. J. R. No. 30, A Joint Resolution "Proposing an amendment to the Constitution of Texas to require that vacancies in the office of County Judge and Justices of the Peace be

filled by the Commissioners Court only until the next general election."

H. J. R. No. 37, A Joint Resolution "Proposing an amendment to Subsection (a) of Section 62, Article XVI of the Constitution of Texas, relating to establishment of a retirement, disability and death compensation fund for officers and employees of the State."

#### Supplemental Conference Committee Report on House Bill 133

Senator Fly submitted the following Supplemental Conference Committee Report on H. B. No. 133:

Committee Room,  
Austin, Texas,  
May 14, 1957.

Hon. Ben Ramsey, President of the Senate.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on H. B. No. 133, beg leave to report further as follows:

Since our report was presented last week, we have detected a number of mechanical and minor errors and omissions which obviously need correction. Even though corrective in nature, we believe the membership of the two Houses should be fully informed as to all corrections in the bill before consideration and action thereon.

This supplemental report lists for your convenience the corrections in the main report. Your committee recommends adoption of the conference report on H. B. 133 as corrected herein.

Respectfully submitted,

**SMITH of Hays  
ELLIS  
GLUSING  
OSBORN**

On the part of the House.

**FLY  
ROBERTS  
LANE  
BRADSHAW  
MARTIN**

On the part of the Senate.

The report was read.

**Conference Committee Report and Supplemental Conference Committee Report on House Bill 133 Ordered Not Printed in Journal**

On motion of Senator Fly and by unanimous consent the Conference Committee Report and the Supplemental Conference Committee Report on H. B. No. 133 were ordered not printed in the Journal as a Supplemental Journal will be printed containing the adopted report.

**Reports of Standing Committees**

Senator Colson submitted the following report:

Austin, Texas.  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 757, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Senator Ratliff submitted the following report:

Austin, Texas.  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Claims, to whom was referred H. B. No. 320, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RATLIFF, Chairman.

**Senate Bill 483 on First Reading**

Senator Fly moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Fly
Ashley	Fuller
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring

Hudson	Phillips
Kazen	Ratliff
Krueger	Reagan
Lane	Roberts
Lock	Rogers
Moffett	Weinert
Moore	Willis
Owen	Wood
Parkhouse	

Absent

Gonzalez	Smith
Secrest	

Absent—Excused

Martin

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Fly:

S. B. No. 483, A bill to be entitled "An Act making an emergency appropriation to the Board of Water Engineers supplementing the current appropriation for surface water investigations for the remainder of the fiscal year ending August 31, 1957; and declaring an emergency."

To the Committee on Finance.

**House Concurrent Resolution 111 on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 111, Suspending the Joint Rules to consider H. B. No. 299.

The resolution was read and was adopted.

**Conference Committee on House Bill 10**

Senator Herring called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 10 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill:

Senators Hardeman, Herring, Hazlewood, Weinert and Lock.

**Conference Committee on  
House Bill 620**

Senator Lane called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 620 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill:

Senators Lane, Bradshaw, Aikin, Hazlewood and Parkhouse.

**Senate Concurrent Resolution 93**

Senator Krueger offered the following resolution:

S. C. R. No. 93, Requesting Legislative Council to study existing laws relating to Gulf and inland bay waters and administration thereof.

Whereas, The policy of the State with respect to and utilization and disposition of the Gulf and inland bay waters of the State and of the lands underlying them is of vital interest to the people of Texas; and

Whereas, The effect of the construction of navigation facilities and other projects in the Gulf and inland bay waters of the State is of especial concern to the people of the State, in that such projects, unless properly regulated, are likely to create navigational hazards and obstructions, stagnation, pollution, and other undesirable results; and there should be some state agency with adequate administrative jurisdiction to insure the degree of supervision and control necessary to protect the public interest; and

Whereas, Present laws authorizing acquisition of interests in offshore lands by navigation districts and other political subdivisions are deficient in not clearly defining the nature of the interest which may be acquired, in not stating a definite policy requiring the district to show a need for the land acquired and regulating the nature of the uses which the district may make of such land, in not requiring the payment of adequate consideration, and in various other respects; now, therefore, be it

Resolved by the Senate of the State

of Texas, the House of Representatives concurring: That the Texas Legislative Council is requested to make an investigation of existing laws of the State of Texas relating to the Gulf and inland bay waters of the State and the administration of those properties, with a view to recommending revisions necessary to insure adequate protection of the public interests of the State and of the people in respect thereto. The Council is specifically requested to investigate and make recommendations on the following matters:

(1) The extent of administrative jurisdiction which may be exercised under present laws by the Commissioner of the General Land Office, The Game and Fish Commission, or other state agencies with respect to construction of navigation projects; and the formulation of proposed legislation placing in a proper state agency adequate administrative control over such projects to protect the public interest.

(2) The scope of federal jurisdiction over the construction of navigation projects and the extent to which federal jurisdiction supersedes state jurisdiction in such matters; and the formulation of proposed legislation asserting to the fullest extent possible the State's right to supervise and regulate the use of the Gulf and inland bay waters within the territorial jurisdiction.

(3) The policy of the State in regard to sale of interests in offshore lands to navigation districts, as set out in Article 8225 of the Revised Civil Statutes, and any other statutes of similar import; and the formulation of proposed legislation clarifying the nature of the interest which may be acquired, providing that the lands may be sold only if needed for proposed improvements, and vesting in a proper administrative agency of the State the right to inquire into the bona fides of the application for purchase and the need of the district for the land for which it applies.

The General Land Office, the Game and Fish Commission, and the Attorney General's Office are requested to cooperate with the Texas Legislative Council in this study and to furnish all possible assistance which may be requested of them by the Council.

The Council is requested to complete its study before the convening

of the Regular Session of the 56th Legislature, and to report its findings and recommendations to the 56th Legislature.

The resolution was read and was referred to the Committee on Game and Fish.

#### Senate Resolution 560

Senator Moffett offered the following resolution:

Whereas, Charles E. Steward has served the State of Texas as Chief Boiler Inspector since July 16, 1939, and after eighteen years of efficient service is now retiring from service; and

Whereas, Through his knowledge of metals and of boiler construction, and the causes of defects and deterioration in steel boilers, he has brought the inspection of steam pressure vessels in this State to a high degree of efficiency; and not only has he won the respect and confidence of steam boiler operators in Texas, but those of other States, as well as their State Inspectors; and several of these states have honored him with their Commission as Inspector of Steam Boilers; and

Whereas, Upon his retirement as an active member of the National organizations, The American Society of Mechanical Engineers and The Pressure Vessels Boiler Inspectors have honored him with a membership for life in these organizations; now, therefore, be it

Resolved, That in recognition of the good and excellent work he has done for the State of Texas in perfecting steam boiler inspection, and in the National organizations who provide the code for boiler inspection, Mr. Charles E. Steward be commended for the good work he has done; and be it further

Resolved, That the Secretary of the Senate be instructed to send a copy of this resolution, bearing the official seal of the Senate, to Mr. Steward as a token of appreciation for his long and faithful service.

The resolution was read and was adopted.

#### Senate Bill 276 with House Amendments

Senator Willis called S. B. No. 276 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Willis moved that the Senate concur in the House amendments.

The motion prevailed.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 24. Committee: Hale, Sanders, Yezak, Chapman, and Jones.

S. C. R. No. 89, Relating to the conservation of the Battleship Texas.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### House Bill 320 Ordered Not Printed

On motion of Senator Reagan and by unanimous consent H. B. No. 320 was ordered not printed.

#### Senate Resolution 562

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the 7th Grade Social Studies Class of O. Henry Junior High School in Austin, Travis County, Texas, accompanied by their teacher, Miss Genevieve Boswell; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to this class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and Miss Boswell to the Members of the Senate.

#### Senate Resolution 563

Senator Secrest offered the following resolution:

Whereas, Throughout the ages man has been comforted, edified and entertained by the lyrics and odes of the psalmists and poets; and

Whereas, The inspirational value of poetry is recognized throughout the world as it strengthens the sympathies, expresses emotions, fires the imagination and brings spiritual peace to humanity; and

Whereas, The Legislature of the State of Texas, in cooperation with the Governor, in recognition of the contributions and as a tribute to the poets of the ages, have chosen a Poet Laureate for the State as a representative of this group; and

Whereas, This individual typifies the esteem in which the poet is held in literature and as an influence for good upon the people; and

Whereas, We are honored today by the presence of Mrs. Margaret Royalty Edwards, Poet Laureate of Texas, of Waco, Texas; now, therefore, be it

Resolved, By the Senate of Texas, that the official welcome of the Senate be extended to this outstanding poet, and that she be presented to the Senate, and that a copy of this resolution, bearing the official seal of the Senate, be presented to her and to the Texas Council for the Promotion of Poetry.

The resolution was read and was adopted.

Accordingly, the President appointed Senators Secrest and Ashley to escort Mrs. Edwards to the President's Rostrum. The President presented Senator Ashley and he recited the history of the Poet Laureate of Texas. Senator Ashley then presented Senator Secrest and he presented George R. Edwards, son of Mrs. Edwards, of Waco and Mrs. Sterling Miller, sister of Mrs. Edwards, to the Members of the Senate.

Senator Secrest then presented Mrs. Edwards as Poet Laureate of Texas.

Mrs. Edwards addressed the Senate expressing appreciation for the honor bestowed upon her.

#### Senate Resolution 564

Senator Bradshaw offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate a group of students from Texas Woman's University at Denton, Texas, accompanied by their sponsor, Dean Francis W. Emerson; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Bradshaw by unanimous consent presented the students and Dean Emerson to the Members of the Senate.

#### Senate Resolution 565

Senator Roberts offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate a group of high school seniors from Collinsville High School, Collinsville, Texas, accompanied by their teachers, Mrs. L. M. Combs, Mrs. Jeff Young, Mrs. Russ Anderson, and Mr. and Mrs. Manuel Carney; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Roberts by unanimous consent presented the students, Mr. Carney and Mesdames Combs, Young, Anderson and Carney to the Members of the Senate.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 87, Granting permission for hanging in the Capitol of a replica of the United States Constitution presented by Texas Society, Daughters of the American Revolution to the State.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 764, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

#### Senate Resolution 566

Senator Reagan offered the following resolution for Senator Martin:

Whereas, We are honored today to have in the gallery of the Senate fourteen members of the Senior Class of Jonesboro High School, accompanied by their sponsors, Miss Mildred Guest and Mr. P. T. Lemmons; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recog-

nize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

MARTIN  
REAGAN

The resolution was read and was adopted.

Senator Reagan by unanimous consent presented the students, Miss Guest and Mr. Lemmons to the Members of the Senate.

#### Senate Resolution 567

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Student Council of the Round Rock High School in Round Rock, Williamson County, Texas, accompanied by their teacher, Mr. Clinton Jirasek; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

#### Report of Standing Committee

Senator Roberts by unanimous consent submitted the following report:

Austin, Texas,  
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Military and Veteran Affairs, to whom was referred H. B. No. 919, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROBERTS, Chairman.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report, including supplement on House Bill No. 133 by a vote of 107 ayes and 40 noes.

Motion to reconsider the vote by which Conference Report was adopted and to table the motion to reconsider prevailed by a viva voce vote.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Conference Committee Report on  
House Bill 133**

Senator Fly moved the adoption of the Conference Committee Report and the Supplemental Conference Committee Report on H. B. No. 133.

(Pending discussion of the Conference Committee Report on H. B. No. 133 the President Pro Tempore occupied the Chair.)

(President in the Chair.)

The Conference Committee Report and the Supplemental Report were adopted by the following vote:

**Yeas—21**

Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Phillips
Fly	Reagan
Fuller	Roberts
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood
Lock	

**Nays—8**

Aikin	Herring
Gonzalez	Ratliff
Hardeman	Rogers
Hazlewood	Weinert

Absent

Parkhouse

**Absent—Excused**

Martin

**Recess**

On motion of Senator Aikin the Senate at 11:57 o'clock a.m. took recess until 2:30 o'clock p.m. today.

**After Recess**

The President called the Senate to order at 2:30 o'clock p.m. today.

**House Bills on First Reading**

The following bills received from the House were read the first time and referred to the Committees indicated:

H. B. No. 512, To the Committee on Counties, Cities and Towns.

H. B. No. 417, To the Committee on Privileges and Elections.

H. B. No. 505, To the Committee on Finance.

H. B. No. 730, To the Committee on Finance.

H. B. No. 59, To the Committee on Counties, Cities and Towns.

H. B. No. 942, To the Committee on State Affairs.

H. B. No. 859, To the Committee on Jurisprudence.

H. B. No. 858, To the Committee on Education.

H. B. No. 790, To the Committee on State Affairs.

H. B. No. 756, To the Committee on Finance.

H. B. No. 755, To the Committee on Transportation.

H. B. No. 562, To the Committee on Finance.

H. B. No. 907, To the Committee on Game and Fish.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House



to inform the Senate that the House has passed the following:

House has appointed the following Conference Committee on S. B. No. 222: Cory, Roberts, McDonald, Bell, and Welch.

S. B. No. 232, A bill to be entitled "An Act amending Article 2624, of the Revised Civil Statutes of Texas, 1925, as amended by Chapters 156 and 171, Acts of the 49th Legislature, Regular Session, 1945, changing the name of the Texas State College for Women at Denton, in Denton County, to the 'Texas University for Women'; providing a changed meaning of the names 'College of Industrial Arts' and 'Texas State College for Women,' or any references thereto whenever such names or references appear in any Acts of any Legislature of this State; ratifying and confirming in behalf of the 'Texas University for Women' all Legislative Acts and appropriations heretofore passed in behalf of the College of Industrial Arts, or the Texas State College for Women, or the Texas University for Women; and declaring an emergency."

S. B. No. 166, A bill to be entitled "An Act defining and redefining the offense of bribery and accepting a bribe; designating the persons who may be prosecuted hereunder for accepting, offering or agreeing to accept a bribe and for giving, agreeing and offering to bribe; stating the acts that constitute bribery and accepting a bribe; prescribing a penalty; and declaring an emergency."

(With Amendments.)

S. B. No. 102, A bill to be entitled "An Act amending Section 2 of Article V of Senate Bill 116, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended by Senate Bill 90, Chapter 198, Acts of the 52nd Legislature, Regular Session, 1951, (Article 2922-15, V. C. S., as amended) to eliminate the 1949-50 exception 'cost factor' clause in the fifth paragraph thereof and obsolete subsection (e) in order that transportation funds may be allotted on the formula basis established therein; Authorizing a School Bus Revolving Fund; providing that Senate Bill 355, Chapter 215, Acts of the 52nd Legislature, 1951 (Article 2922-23, V. C. S.), shall not be construed as repealed by this amendment; providing for an effective date; providing a

severability clause; and declaring an emergency."

(With Amendments.)

H. C. R. No. 112, Suspending the Joint Rules so that either House may take up and consider H. B. 217 at any time.

H. C. R. No. 114, Authorizing either House to take up and consider H. B. No. 952 at any time.

H. C. R. No. 4, Setting Sine Die adjournment for Thursday May 23, 1957, at 6:00 p.m.

The House has concurred in Senate amendments to H. C. R. No. 64 by viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 97 by viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 39 by viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 44 by viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 58 by viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 57 by viva voce vote.

S. B. No. 457, A bill to be entitled "An Act to prohibit the acquisition of certain land by the State Building Commission, prohibiting the appropriation of money to pay the cost of acquiring such land, and declaring an emergency."

(With Amendments.)

H. C. R. No. 116, Authorizing both Houses to suspend the rules and take up S. B. 123 at any time.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### House Bill 832 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up H. B. No. 832 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of busi-

ness and take up H. B. No. 832 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—20

Aikin	Lock
Bracewell	Moffett
Colson	Owen
Fly	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Lane	Weinert

## Nays—6

Ashley	Phillips
Hardeman	Willis
Krueger	Wood

## Present—Not Voting

Parkhouse

## Absent

Bradshaw	Moore
Fuller	

## Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 832, A bill to be entitled "An Act amending Title 126, Revised Civil Statutes of Texas, 1925, as amended, by adding thereto a new Article to be called Article 7436a; providing for declaratory judgment suits to be brought against the State to determine if the Anti-Trust Laws of the State are being violated or if they will be violated; providing for a fee as cost for filing such suit, and making all provisions necessary thereto; and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. 832 by striking out all of Sections 4 and 5 and insert in lieu the following:

"Section 4. Any plaintiff filing such suit for declaratory judgment hereunder shall pay all costs of said proceeding."

and renumbering the subsequent sections.

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend H. B. 832 by adding a new section to read as follows:

"Nothing in this Act shall ever be construed to alter, amend, or repeal any anti-trust laws of this state."

The amendment was adopted.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

## House Bill 832 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 832 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Moffett
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fly	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Lane	Wood
Lock	

## Nays—3

Hardeman	Willis
Krueger	

## Absent

Fuller	Moore
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## Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the final passage of H. B. No. 832.

#### House Bill 229 on Third Reading

Senator Bracewell asked unanimous consent to suspend the regular order of business and take up H. B. No. 229 for consideration at this time.

There was objection.

Senator Bracewell then moved to suspend the regular order of business and take up H. B. No. 229 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—18

Aikin	Owen
Ashley	Parkhouse
Bracewell	Phillips
Bradshaw	Ratliff
Colson	Roberts
Gonzalez	Rogers
Herring	Secrest
Lock	Smith
Moffett	Willis

#### Nays—7

Fly	Lane
Hardeman	Weinert
Kazen	Wood
Krueger	

#### Absent

Hudson	Reagan
Moore	

#### Absent—Excused

Martin

#### Paired

Senator Hazlewood (present) who would vote Yea, with Senator Fuller (absent) who would vote Nay.

The President laid before the Senate on its third reading and final passage:

H. B. No. 229, A bill to be entitled "An Act to apportion the State of Texas into Congressional Districts, naming the Counties and parts thereof composing the same, and providing for the election of a member of the

Congress of the United States from each district, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Senator Lock offered the following amendment to the bill:

Amend Section 1 of House Bill 229 by striking out the Fuller Amendment adopted on second reading.

The amendment was adopted by the following vote:

#### Yeas—25

Aikin	Moffett
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fly	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lock	

#### Nays—1

Lane

#### Absent

Moore	Reagan
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#### Absent—Excused

Martin

#### Paired

Senator Hazlewood (present) who would vote Yea, with Senator Fuller (absent) who would vote Nay.

H. B. No. 229 was then finally passed.

#### Record of Votes

Senators Lane, Fuller and Reagan asked to be recorded as voting "Nay" on the final passage of H. B. No. 229.

#### House Concurrent Resolution 114 on Second Reading

On motion of Senator Owen and by unanimous consent the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 114, Suspending Joint Rules to consider H. B. No. 952.

The resolution was read and was adopted.

#### House Concurrent Resolution 112 on Second Reading

On motion of Senator Parkhouse and by unanimous consent the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 112, Suspending Joint Rules to consider H. B. No. 217.

The resolution was read and was adopted.

#### Senate Bill 155 with House Amendments

Senator Lock called S. B. No. 155 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Lock moved that the Senate concur in the House amendments.

The motion prevailed.

#### House Bill 940 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 940, A bill to be entitled "An Act creating a Juvenile Court and a Court of Domestic Relations in Dallas County, Texas; etc., and declaring an emergency."

The bill was read second time.

Senator Parkhouse offered the following committee amendment to the bill:

Amend House Bill 940, Section 6 by striking out all of the language of said Section 6 and inserting in lieu thereof the following:

"Sec. 6. Immediately upon the passage of this Act, the Governor, by and with the advise and consent of the Senate, shall appoint a suitable person as Judge of the Juvenile Court and a suitable person as Judge of the Court of Domestic Relations, who shall hold office until the next General election and until his successor

shall be duly elected and qualified. The first elective term of said courts shall be for two (2) years. Thereafter, the term of office of the Judge of the Juvenile Court and of the Judge of the Court of Domestic Relations shall be for four (4) years and each of said Judges shall be appointed and elected as provided by the Constitution and laws of the State for the election or appointment of District Judges. Vacancies in the office shall be filled by appointment by the Governor, by and with the advise and consent of the Senate. In the event of disqualification of the Judge to try a particular case, or because of the illness, inability, failure or refusal of said Judge to hold court at any time, the Juvenile Board may select a special judge who shall hold the court and proceed with the business thereof."

The committee amendment was adopted.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 940 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 940 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Fuller	Martin
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

## Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

## Absent—Excused

Fuller                      Martin

**House Bill 764 Ordered Not Printed**

On motion of Senator Krueger and by unanimous consent H. B. No. 764 was ordered not printed.

**House Bill 317 on Second Reading**

On motion of Senator Gonzalez and by unanimous consent, the regular order of business was suspended and Senate Rule 38 to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 317, A bill to be entitled "An Act amending Section 3 (e) of Acts of the 45th Legislature, 1937, Chapter 276, Page 556, as amended, (compiled as Article 8280-119, Section 3(e), Vernon's Texas Civil Statutes), by re-enacting said Section 3 (e) of said Act unchanged except for the addition of the specific power, in addition to those already conferred, to the San Antonio River Authority, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 317 on Third Reading**

Senator Gonzalez moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 317 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

## Nays—1

Parkhouse

## Absent—Excused

Fuller                      Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Phillips
Colson	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

## Nays—2

Fly                      Parkhouse

## Absent—Excused

Fuller                      Martin

**Motion to Place House Bill 433 on Third Reading**

Senator Bracewell asked unanimous consent to suspend the regular order of business and take up H. B. No. 433 for consideration at this time.

There was objection.

Senator Bracewell then moved to suspend the regular order of business and take up H. B. No. 433 for consideration at this time.

The motion was lost by the following vote: (not receiving two-thirds vote of the Members present.

## Yeas—18

Aikin	Kazen
Ashley	Lock
Bracewell	Moffett
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Hardeman	Reagan
Herring	Secrest
Hudson	Weinert

## Nays—9

Gonzalez	Roberts
Krueger	Rogers
Lane	Smith
Moore	Willis
Owen	

## Absent

Wood

## Absent—Excused

Martin

## Paired

Senator Hazlewood (present) who would vote Yea, with Senator Fuller (absent) who would vote Nay.

## Senate Bill 457 with House Amendments

Senator Hardeman called S. B. No. 457 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hardeman moved that the Senate concur in the House amendments.

The motion prevailed.

## Report of Standing Committee

Senator Willis by unanimous consent submitted the following report:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 858, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILLIS, Chairman.

## House Bill 858 Ordered Not Printed

On motion of Senator Roberts and by unanimous consent H. B. No. 858 was ordered not printed.

## Reports of Standing Committees

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 59, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Transportation, to whom was referred H. B. No. 755, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Vice-Chairman.

Senator Kazen by unanimous consent submitted the following report:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 907, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

**House Bill 62 on Second Reading**

On motion of Senator Fly and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading.

H. B. No. 62, A bill to be entitled "An Act to amend Section 24 of Chapter 514 of the General and Special Laws of the Fifty-fourth Legislature, Regular Session, 1955, to provide for adequate housing of the Archives Division of the Texas Library and Historical Commission, directing the State Building Commission, to provide quarters in the State Office Building to the extent required for proper protection and display of the materials and books held by such Division, and to furnish necessary equipment for such purpose; making an appropriation; repealing conflicting laws; and declaring an emergency."

The bill was read second time.

Senator Fly offered the following committee amendment to the bill:

Amend H. B. No. 62 by adding after the word "building" in the first sentence of Section 1 the words "to be known as the State Archives and Library Building."

The committee amendment was adopted.

Senator Fly offered the following amendment to the bill:

Amend H. B. No. 62 by adding a new sentence after the end of the word "appropriation" in Sec. 2 to read as follows:

"The State Building Commission shall consult with and seek the advice of the Texas State Historical Survey Committee or its successor as to the plans and location of such building."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. No. 62, Sec. 1 by adding at the end thereof the following:

"Provided that the present Legislative Reference Library now housed in the Capitol Building shall not be

removed therefrom, but shall be maintained in the space now assigned to the State Library, the Supreme Court Library and the Legislative Reference Library upon removal of the Supreme Court Library to the Supreme Court building now under construction."

**HARDEMAN  
MOFFETT**

The amendment was adopted.

On motion of Senator Hardeman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

**House Bill 62 on Third Reading**

Senator Fly moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 62 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

**Absent—Excused**

**Fuller**                      **Martin**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

**Senate Bill 397 Re-referred**

On motion of Senator Lane and by unanimous consent S. B. No. 397 was withdrawn from the Committee on State Affairs and re-referred to the

Committee on State Departments and Institutions.

#### House Bill 942 Re-referred

On motion of Senator Lane and by unanimous consent H. B. No. 942 was withdrawn from the Committee on State Affairs and re-referred to the Committee on State Departments and Institutions.

#### House Bill 926 Re-referred

On motion of Senator Lane and by unanimous consent H. B. No. 926 was withdrawn from the Committee on State Affairs and re-referred to the Committee on State Departments and Institutions.

#### House Bill 320 on Second Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up H. B. No. 320 for consideration at this time.

There was objection.

Senator Reagan then moved to suspend the regular order of business and take up H. B. No. 320 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—19

Aikin	Lock
Ashley	Phillips
Bracewell	Ratliff
Bradshaw	Reagan
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Wood
Krueger	

#### Nays—9

Colson	Owen
Fly	Parkhouse
Hardeman	Roberts
Lane	Willis
Moffett	

#### Absent

Moore

#### Absent—Excused

Fuller	Martin
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(President Pro Tempore in Chair.)

The President Pro Tempore laid

before the Senate on its second reading and passage to third reading:

H. B. No. 320, A bill to be entitled "An Act making an appropriation to pay the principal due thereon of a certain judgment obtained against the State of Texas in Cause No. 104,974, styled Southern Mineral Corporation vs. The State of Texas in the 126th Judicial District Court of Travis County, Texas, according to the tenor, effect and reading of such judgment; and declaring an emergency."

The bill was read second time.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 320, Section 3 by inserting between the words "reading" and "to" on line 15, page 6 of the bill the following:

'exclusive of any interest on the principal sum of such judgments either prior or subsequent to the respective dates of such judgments.'

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. 320 by striking the period at the end of the first sentence of Section 3 and inserting in place thereof a comma and inserting immediately thereafter the following: "Provided, however, that no credit shall be applied against that portion of any tax the revenues from which are dedicated by the Constitution of the State of Texas to a specific fund."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. No. 320 by striking out all of Sec. 4 and renumber subsequent sections.

The amendment was read.

On motion of Senator Bracewell the amendment was tabled.

On motion of Senator Reagan and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.



**Record of Votes**

Senators Hardeman and Moffett asked to be recorded as voting "Nay" on the passage of H. B. No. 320 to third reading.

**Motion to Place  
House Bill 320 on Third Reading**

Senator Reagan moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 320 be placed on its third reading and final passage.

The motion was lost by the following vote. (Not receiving four-fifths vote of the Members of the Senate.):

**Yeas—21**

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Gonzalez	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Secrest
Kazen	Weinert
Krueger	Wood
Lane	

**Nays—6**

Colson	Owen
Fly	Roberts
Hardeman	Rogers

**Absent**

Smith	Willis
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**Absent—Excused**

Fuller	Martin
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**Bills and Resolutions Signed**

The President Pro Tempore announced the signing by the President in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 480, A bill to be entitled "An Act ratifying, confirming and validating the creation, establishment and boundaries of Fannin County Water Control and Improvement District No. 2, and the organization, confirmation election and election of directors for the District and all proceedings relating thereto; and declaring an emergency."

S. B. No. 474, A bill to be entitled "An Act to authorize and empower the Commissioners Court of Harris County, Texas, the governing body of the Harris County Flood Control District to provide for and administer a retirement, disability and death compensation fund for the appointive officers and employees of the District; providing for the investment, reinvestment and change of investment of such funds, authorizing the governing body of said District to adopt a plan or plans of effectuating the purpose of this Act, to provide rules and regulations governing all such compensation and from time to time change any such plan, rule or regulation; providing that the contribution of such fund by the District shall be from the operating and maintenance fund of said District; making the Act cumulative of all other laws on the subject; providing that unconstitutionality of any part of the Act shall not invalidate the remainder; and declaring an emergency."

S. B. No. 463, A bill to be entitled "An Act to amend Chapter 518, Acts of the 54th Legislature, 1955, by adding a league of land to the area of the District in Trinity County, finding a benefit; and declaring an emergency."

S. B. No. 445, A bill to be entitled "An Act providing for the transfer of title to certain lands to the State Highway Commission consisting of a tract or parcel lying along and parallel to Harbor Island and adjacent to Corpus Christi Bay, now owned by the State of Texas containing 380.2 acres, more or less, of Islands, submerged land, and tidewater flats situated under the waters of Corpus Christi Bay, about Latitude 97°05' North and Longitude 27°52' West, as taken from U. S. C. & G. S. Chart No. 523, necessary for the building of State Highway No. 361, providing that this conveyance shall not interfere nor conflict with the rights of the State Game and Fish Commission, except that the State Highway Department shall have the right to take materials from said tract without compensation therefor; and declaring an emergency."

S. B. No. 456, A bill to be entitled "An Act authorizing the State Board of Education to acquire, purchase and contract for books published in Braille as are recommended suitable

for use as textbooks for the education of the blind scholastics in the public school system of Texas, pursuant to rules and regulations adopted by the State Board; etc.; and declaring an emergency."

S. B. No. 437, A bill to be entitled "An Act providing that it shall be unlawful for any officer or employee of this State or any other person to build, construct, erect or maintain any building, structure, memorial, monument, statue or concession or any other structure including parking areas or additional paving on any of the grounds surrounding the State Capitol that were bounded by certain streets on January 1, 1955, with certain exceptions; providing a penalty; providing grounds for impeachment or for removal from office of certain officers and employees; providing a savings clause; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 341, A bill to be entitled "An Act granting to the City of Corpus Christi, Texas, certain land submerged and unsubmerged lying within an area known as Tract C as shown on a map entitled Sheet No. 1, Laguna Madre, Subdivision for Mineral development, dated November 1, 1948, and revised September 1, 1951, by addition of 'Cayo Del Oso' subdivision, prepared by the General Land Office of the State of Texas; providing certain limitations, conditions and restrictions on the development of said land and on the transfer and conveyance thereof; modifying requirements heretofore imposed by the terms of House Bill 473, Chapter 294, General and Special Laws of Texas, Acts of the 54th Legislature, Revised Statutes 1955; providing that failure of the City of Corpus Christi or its grantees to comply with the conditions herein imposed shall cause title to said land to revert to the State of Texas; reserving all mineral interests to the State of Texas; declaring that the Act shall be cumulative of former grants and authorities; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 74, A bill to be entitled "An Act to amend Section 4 of Chapter 282, Acts, Regular Session 41st Legislature (1929) as amended by Section 1 of Chapter 174, Acts, Regular Session, 42nd Legislature (1931), as amended by Section 1 of Chapter

148, Acts, Regular Session, 45th Legislature (1937); and declaring an emergency."

S. B. No. 168, A bill to be entitled "An Act to amend Section 6 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 39a of Article 4477, Vernon's Texas Civil Statutes, so as to provide that a certificate of stillbirth shall be signed by the physician or midwife in attendance at the stillbirth; and declaring an emergency."

S. B. No. 319, A bill to be entitled "An Act amending the Texas Election Code by adding a new section designated as Section 220a, conferring upon district courts the jurisdiction to order recounts of votes and to hear and determine election contests relative to the party offices of precinct chairmen and county chairmen; and providing procedures therefor."

S. B. No. 425, A bill to be entitled "An Act amending Article 4551, Vernon's Texas Civil Statutes, as amended, same being Acts 1919, page 50; Acts 1935, 44th Legislature, Regular Session, Chapter 244, page 606, Section 9, pertaining to per diem for members of the State Board of Dental Examiners; providing for a severance clause; repealing all laws or portions of laws in conflict hereof, and declaring an emergency."

S. B. No. 189, A bill to be entitled "An Act constituting the State Board of Control purchasing agent for state agencies and certain other agencies; imposing duties to buy competitively on the State Board of Control; authorizing the State Board of Control to utilize the most efficient purchasing methods; establishing a specifications and standards program; authorizing the Board of Control to maintain usage figures on State consumption of materials, supplies, services, and equipment; saving certain rights and obligations; repealing certain statutes and laws; and declaring an emergency."

S. B. No. 53, A bill to be entitled "An Act amending Section 4, Article II, of Art. 6687b, Vernon's Annotated Civil Statutes, General Laws of 1941, 47th Legislature, p. 245, Chapter 173; as amended by Acts of 1943, 48th Legislature, p. 469, Chapter 313, providing for the issuance of drivers' li-

censes to persons under the age of sixteen (16) years; repealing all laws in conflict therewith; and declaring an emergency."

S. B. No. 167, A bill to be entitled "An Act to amend Section 14 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 47a of Article 4477, Vernon's Texas Civil Statutes, to provide that the State Registrar, county clerk, or local registrar shall not issue a certified copy disclosing illegitimacy or otherwise disclose illegitimacy unless the issuance of the certified copy or the disclosure is authorized by order of the county court of the county in which the birth, death, or fetal death occurred; to provide that access to certain files based on legitimation, paternity determination, and adoption shall not be authorized except upon order of a court of competent jurisdiction; and to provide for attaching to the original birth record an amendment based on a court order of change of name; and declaring an emergency."

S. B. No. 116, A bill to be entitled "An Act authorizing the setting and collecting of a charge for the sale of publications and other printed matter produced by executive and administrative departments and agencies of the State, when deemed in the Public interest; providing for the deposit of such collected charges; prohibiting personal profit from such sales and declaring an emergency."

S. B. No. 90, A bill to be entitled "An Act providing for county juvenile boards in each of the counties of Angelina, Cherokee and Nacogdoches; prescribing the membership and powers of each board and providing for compensation for the members of the boards; providing that this Act shall be cumulative of existing laws relating to compensation for judges of district courts and county judges; providing a savings clause; and declaring an emergency."

S. B. No. 301, A bill to be entitled "An Act validating, ratifying, confirming and approving contracts, scrip warrants and time warrants and refunding bonds authorized by counties or cities (including Home-Rule cities) or towns since the approval by the Governor of Texas of Chapter 164, Acts of the 52nd Legislature, Regular

Session, 1951; validating, ratifying, confirming and approving time warrants and refunding bonds issued for the purpose of refunding time warrants and all proceedings, Governmental Acts, orders, ordinances, resolutions and other instruments relating to the issuance of time warrants and refunding bonds for such purposes, of counties, cities (including Home-Rule cities and towns); etc.; and declaring an emergency."

S. B. No. 466, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59 of the Constitution, comprising territory within the city of Jefferson, Marion County, Texas, to be known as the 'Jefferson Water and Sewer District,' for the purpose of providing or acquiring a source or sources of water supply for municipal, domestic, industrial, and mining uses and processing and transporting the same and for the purpose of providing or acquiring storm sewers and a sanitary sewer system; providing for a board of directors to govern said district; etc.; and declaring an emergency."

S. B. No. 449, A bill to be entitled "An Act creating a water control and improvement district under Article XVI, Section 59 of the Constitution of Texas, to be known as 'Wilbarger Creek Water Control and Improvement District No. 1 of Bastrop and Travis Counties' comprising certain lands lying within the Counties of Bastrop and Travis, Texas; etc.; and declaring an emergency."

S. B. No. 323, A bill to be entitled "An Act requiring a permit for the selling, licensing, or otherwise authorizing the public performances for profit under a blanket license of certain copyrighted musical or dramatico-musical compositions; requiring the filing of copies of such agreements or licenses with the Secretary of State; providing for appointment of attorney for service of process by non-residents; providing that such activities by a corporation constitute doing business in this State; providing that this Act shall not impair or affect existing contracts; providing a penalty; providing that for severability of clauses and provisions; and declaring an emergency."

S. B. No. 276, A bill to be entitled "An Act amending Section 3 of Chap-

ter 428, Acts of the 51st Legislature, 1949, Regular Session, as amended, codified in Vernon's as Section 3 of Article 8309c, Vernon's Civil Statutes, so as to make the provisions of Article 8309c relating to Workmen's Compensation for county employees mandatory for counties having a population in excess of three hundred fifty thousand (350,000) inhabitants under certain conditions; providing a severability clause and declaring an emergency."

S. B. No. 303, A bill to be entitled "An Act creating a State Youth Authority for the protection, care, training and parole supervision of delinquent children, and, among other things, defining its powers, duties and functions; providing an appropriation; containing a severability as to its validity; repealing certain statutes; fixing its effective date; and declaring an emergency."

S. C. R. No. 87, Providing for replica of United States Constitution to be hung in Capitol Building.

S. C. R. No. 89, Commending Battleship Texas Commission and Karl Hoblitzelle.

#### Report of Standing Committee

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to whom was referred S. B. No. 397, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to whom was referred H. B. No. 942, have had the same under consideration, and we are instructed to report

it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senator Bracewell by unanimous consent submitted the following reports:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 478, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRACEWELL, Chairman.

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 479, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRACEWELL, Chairman.

Senator Weinert by unanimous consent submitted the following report:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. C. R. No. 107, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

#### Senate Bill 397 Ordered Not Printed

On motion of Senator Herring and by unanimous consent S. B. No. 397 was ordered not printed.

#### House Bill 791 on Second Reading

On motion of Senator Hudson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 791, A bill to be entitled "An Act amending Chapter 206, Acts of the 50th Legislature, as amended (Article 326k-12, Vernon's Texas Civil Statutes), by adding a new section authorizing the purchase and maintenance of automobiles by the county for use of the District Attorney or Criminal District Attorney and his assistants and investigators in the judicial districts included in that Act; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 791 on Third Reading

Senator Hudson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 791 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Lane
Ashley	Lock
Bracewell	Moffett
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Weinert
Krueger	Wood

#### Absent

Moore	Willis
Smith	

#### Absent—Excused

Fuller	Martin
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The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 244 on Second Reading

Senator Krueger asked unanimous consent to suspend the regular order of business and take up H. B. No. 244 for consideration at this time.

There was objection.

Senator Krueger then moved to suspend the regular order of business and take up H. B. No. 244 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—23

Aikin	Lock
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Kazen	Weinert
Krueger	Wood
Lane	

#### Nays—4

Fly	Moffett
Hudson	Roberts

#### Absent

Smith	Willis
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#### Absent—Excused

Fuller	Martin
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The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 244, A bill to be entitled "An Act increasing certain fees chargeable by Clerks of the District Courts etc., and declaring an emergency."

The bill was read second time.

Senator Krueger offered the following amendment to the bill:

Amend House Bill 244 by striking all below the enacting clause and inserting in lieu thereof the following:

Section 1. Article 3927 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1945, 49th Legislature, Page 662, Chapter 368, is amended to read as follows:

"Article 3927. DISTRICT CLERK. The clerks of the District Courts shall receive the following fees in civil cases for their services:

Filing original petition	\$2.50
Filing each paper	.25
Certifying to and affixing seal on any copy	1.00

Issuing each citation	1.25	writ of error, with certificate and seal, for each 100 words	.25
Issuing each copy of citation	1.25	Taxing bill of costs in any case with copy of same	.50
Issuing each injunction writ	1.00	Transcribing, comparing and verifying record books of his office, payable out of county treasury, upon warrants issued on order of Commissioners' Court, for each 100 words	.15
Issuing each writ of possession or restitution	1.00	Issuing certificate to any fact or facts contained in the record of his office	1.00
Issuing each other writ not otherwise provided for	1.00	Filing and recording the declaration of intention to be a citizen of the United States	2.00
Issuing each copy of writ	1.00	Issuing each commission to take deposition	1.00
Recording return of any writ, including the return of all writs, except subpoenas	.50	Issuing certificate of naturalization	2.50
Docketing each cause	1.00	For performing such other duties as may be imposed by law, reasonable fees shall be charged."	
Entering on docket the appearance of each party to a suit, to be charged but once	.15	Provided, however, the Judge of the District Court may, in his discretion, prescribe one fee to be paid the District Clerk for any and all services rendered in any one case by the District Clerk and the fees set by the District Judge shall be in lieu of the fees prescribed in this Act for such services. The fee so prescribed shall be based on the amount fixed by the provisions of this Act for identical services and shall not exceed the total fees for such services fixed by this Act, and such fee shall be due and payable to the Office of the District Clerk upon the docketing of each case and such fees shall be considered as earned by the District Clerk upon such docketing. Any fees collected in excess of the amount prescribed by this Act shall, upon order of the District Judge, be refunded to the party paying such excess in amount.	
Docketing each rule or motion, including rule for cost	.25	Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of conflict only.	
Swearing each witness	.10	Section 3. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.	
Administering an oath, affirmation, or taking affidavit, certificate and seal; provided, that he shall only be allowed pay for one certificate to each witness' claim for attendance in behalf of plaintiff, and one each in behalf of defendant, at any one term of Court	.50	Section 4. The fact that the Officers' Salary Funds in most of the counties of Texas are inadequate and insufficient to take care of the expenses	
Entering on docket each continuance	.15		
Issuing subpoena for one witness	.50		
For each additional witness named in same subpoena	.15		
Swearing and impaneling a jury	1.00		
Taking deposition, each 100 words	.15		
Issuing copies of interrogatories with certificate and seal per 100 words	.15		
Recording each judgment, order or decree not over 300 words	2.00		
Recording judgment, order or decree which exceeds 300 words, an additional fee for each 100 words in excess of 300	.20		
Abstracting judgment	1.50		
Issuing each order of sale	2.00		
Issuing each execution	2.00		
Approving bond, except bond for costs	2.00		
Filing record in cause appealed to District Court	1.00		
Preparing and transmitting records and proceedings in cause to any inferior Court, for each 100 words	.10		
Preparing and transmitting mandate or judgment of District Court upon appeal from County Court	1.00		
Making copy of all records, judgments, orders, petitions, pleadings, or papers on file or of record in his office, whether to be certified or not, for any party applying for same, for each 100 words	.25		
Making transcript of records and papers in any cause upon appeal, or			

of the offices affected hereby, thereby placing an extra burden on the already overburdened general funds of such counties, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended; and such rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senator Krueger offered the following amendment to the bill:

Amend House Bill 244 by striking out all above the enacting clause and inserting in lieu thereof the following:

An Act to amend Article 3927 of the Revised Civil Statutes of Texas, 1925, as amended, by Acts 1945, 49th Legislature, Page 662, Chapter 368, Section 3, relating to fees of clerks of the District Courts; containing a repealing clause and a saving clause; and declaring an emergency.

The amendment was adopted.

The bill as amended was passed to third reading.

#### House Bill 244 on Third Reading

Senator Krueger moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 244 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—22

Aikin	Lane
Ashley	Lock
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Secrest
Kazen	Weinert
Krueger	Wood

#### Nays—4

Fly	Moffett
Hudson	Rogers

#### Absent

Moore	Willis
Smith	

#### Absent—Excused

Fuller	Martin
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The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### House Bill 329 on Second Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 329, A bill to be entitled "An Act providing a method of financing the operation of the Texas Commission on Alcoholism; amending Section 18 of Chapter 411, Acts of the 53rd Legislature, Regular Session, 1953; and declaring an emergency."

The bill was read second time.

Senator Fly offered the following amendment to the bill:

Amend H. B. No. 329 by adding a new sentence at the end of Section 1 reading "Funds for the operation of local councils on alcoholism shall be expended during this biennium only if matched locally, and it is the intent of this Legislature that hereafter such activities shall be financed locally."

The amendment was adopted.

On motion of Senator Moffett and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

(Senator Aikin in the Chair.)

#### House Bill 329 on Third Reading

Senator Moffett moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 329 be placed on its third reading and final passage.

The motion prevailed by the following vote.

## Yeas—27

Aikin	Lock
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood
Lane	

## Absent

Moore	Willis
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## Absent—Excused

Fuller	Martin
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

## Yeas—27

Aikin	Lock
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Wood
Lane	

## Absent

Moore	Willis
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## Absent—Excused

Fuller	Martin
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## House Bill 278 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 278, A bill to be entitled "An Act amending the Insurance Code of Texas, Acts, 1951, Fifty-second Legislature, Chapter 21, General Provisions, by adding Article 21.46, providing for the deposit of securities, or the payment of taxes, fines, penalties, etc., as a condition precedent to doing business in this State by insurance companies organized in a State, etc., and declaring an emergency."

The bill was read second time.

Senator Lock offered the following amendment to the bill:

Amend House Bill No. 278 by striking out all above the enacting clause and inserting in lieu thereof the following:

A BILL  
TO BE ENTITLED

An Act amending the Insurance Code of Texas, Acts, 1951, Fifty-second Legislature, Chapter 21, General Provisions, by adding Article 21.46, providing for the deposit of securities, or the payment of taxes, fines, penalties, etc., as a condition precedent to doing business in this State by insurance companies organized in a State, the laws of which require similar deposits in said State by similar companies organized under the laws of the State of Texas transacting business in said state; providing, further, that wherever under any law of this state the basic rate of taxation of any insurance company of another state or territory is reduced if any such insurance company has made investments in Texas securities then in computing the aggregate Texas premium tax burdens of any such insurance company of any other state or territory each shall for purposes of comparison with the premium tax laws of their home states be considered to have assumed and paid an aggregate premium tax burden equal to the basic rate; enacting other provisions relating to the subject; providing certain exemptions to this Act; and further providing for the cancellation or refusal of authority to do business in the State of Texas by insurance companies organized under the laws of States or foreign countries which do not duly recognize the certificate of solvency and good management issued by this State to domestic insurance companies; and declaring an emergency.



The amendment was adopted.

The bill as amended was passed to third reading.

#### House Bill 278 on Third Reading

Senator Lock moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 278 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

#### Absent—Excused

Fuller                      Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

(President pro tempore in the Chair.)

#### House Concurrent Resolution 63 on Second Reading

On motion of Senator Aikin and by unanimous consent the President pro tempore laid before the Senate on its second reading the following resolution:

H. C. R. No. 63, Granting permission to Houston Turner to bring suit against the State of Texas.

The resolution was read and was adopted.

#### House Bill 639 on Second Reading

On motion of Senator Ashley and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 639, A bill to be entitled "An Act to permit directors of Water Improvement Districts, Water Control and Improvement Districts, or other subdivisions of the State of Texas, organized and operating by virtue of Article XVI, Section 59 of the State Constitution, and laws enacted pursuant thereto, to have their lands annexed to and to form a part of the District of political subdivision aforesaid of the State of which they are directors, or director."

The bill was read second time and passed to third reading.

#### House Bill 639 on Third Reading

Senator Ashley moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 639 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

#### Nays—1

Hudson

#### Absent—Excused

Fuller                      Martin

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—28

Aikin                      Ashley

Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Lock	Willis
Moffett	Wood

Nays—1

Hudson

Absent—Excused

Fuller

Martin

(President in the Chair.)

#### Senate Joint Resolution 19 on First Reading

Senator Hardeman by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Fuller

Martin

The following resolution was then introduced, read first time and referred to the committee indicated:

By Senator Hardeman:

S. J. R. No. 19, A joint resolution "Proposing an amendment to Article III of the Constitution of the State

of Texas by adding a new section thereto to be known as Section 62, providing that the Legislature may delegate authority to zone public highways, roads, streets, and alleys or portions thereof, relating to and regulating the speed at which any motor vehicle may be operated thereon, and providing certain exceptions."

To the Committee on Constitutional Amendments.

#### House Bill 790 Re-referred

On motion of Senator Lane and by unanimous consent H. B. No. 790 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Constitutional Amendments.

#### House Bill 433 on Third Reading

Senator Bracewell asked unanimous consent to suspend the regular order of business and take up H. B. No. 433 for consideration at this time.

There was objection.

Senator Bracewell then moved to suspend the regular order of business and take up H. B. No. 433 for consideration at this time.

The motion prevailed by the following vote:

Yeas—19

Aikin	Lock
Ashley	Moffett
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fly	Reagan
Hardeman	Smith
Hazlewood	Weinert
Herring	Wood
Kazen	

Nays—8

Gonzalez	Owen
Krueger	Rogers
Lane	Secrest
Moore	Willis

Absent

Hudson

Roberts

Absent—Excused

Fuller

Martin

The President pro tempore laid before the Senate on its third reading and final passage:

H. B. No. 433, A bill to be entitled "An Act revising the employers' liability and workmen's compensation insurance laws of this State by amending and adding to certain sections of Articles 8306, 8306a, 8307, and 8309, Revised Civil Statutes of 1925, as amended; etc.; and declaring an emergency."

The bill was read third time.

Senator Moore offered the following amendment to the bill:

Amend Section 1 of H. B. 433 by adding after the proposed Section 12c-2 of Article 8306, the following section to be numbered Section 28 and to read as follows:

#### "WORKMEN'S COMPENSATION FUND"

"Sec. 28. There is hereby established as a special fund, separate and apart from all public monies or funds of this state, a Workmen's Compensation Fund which shall be used by the board for the purpose of paying costs of the administration of the law, in addition to amounts appropriated by the Legislature of the State of Texas. The State Treasurer shall be the treasurer and custodian of the fund. He shall administer such fund in accordance with the directions of the board, and the comptroller shall issue warrants upon it in accordance with the directions of the board. In addition to all other taxes now being paid, each stock company, mutual company, reciprocal, or inter-insurance exchange or Lloyds Association writing Workmen's Compensation insurance in this state, shall pay annually into the state treasury, for the use and benefit of the Workmen's Compensation Fund, an amount equal to one-fourth ( $\frac{1}{4}$ ) of one percent (1%) of gross premiums collected by such company or association during the preceding year under workmen's compensation policies written by such companies or associations covering risks in this state according to the reports made to the Board of Insurance Commissioners as required by law. Said amount shall be collected at the same time and in the same manner as provided by law for the collection of taxes on gross premiums of such workmen's compensation insurance carriers. Failure to make any report required by this section shall be punishable by fine not to exceed

One Thousand (\$1000) Dollars and the failure to pay any tax within thirty (30) days after same is due under this section shall be punishable by a penalty of ten (10%) per cent of the amount, and shall be recovered by the attorney general in a suit brought by him in the name of the State of Texas and such penalties when collected shall be deposited in the state treasury for the use and benefit of the Workmen's Compensation Fund."

The amendment was adopted by the following vote:

#### Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

#### Absent

Roberts

#### Absent—Excused

Fuller

Martin

H. B. No. 433 was then passed.

#### Record of Votes

Senator Lane, Moore, Willis, Secrest and Fuller asked to be recorded as voting "nay" on the final passage of H. B. No. 433.

#### House Bill 864 on Second Reading

On motion of Senator Rogers and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 864, A bill to be entitled "An Act authorizing the Texas Board of Water Engineers to study the cause of natural pollution to the tributaries of the Red River and to study means to eliminate such pollution; and appropriating Fifty Thousand Dollars

for such purpose and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. 864, Section 1, by changing the period at the end thereof to a comma and adding:

"within the limits of its facilities and appropriation of money."

The amendment was adopted.

On motion of Senator Rogers and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 864 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 864 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Roberts

Absent—Excused

Fuller

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

#### Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Roberts

Absent—Excused

Fuller

Martin

#### House Bill 469 on Second Reading

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 469, A bill to be entitled "An Act validating the incorporation of all cities and towns of five thousand (5,000) inhabitants or less, heretofore incorporated or attempted to be incorporated under the general laws of this state; validating the area and the boundary lines thereof; providing that this Act shall not apply to any city or town now involved in litigation questioning the legality of the incorporation or any of the acts or proceedings hereby validated, if such litigation is ultimately determined against the legality thereof; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 469 on Third Reading

Senator Lane moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 469 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

## Absent

Roberts

## Absent—Excused

Fuller

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

## Nays—1

Hardeman

## Absent

Roberts

## Absent—Excused

Fuller

Martin

## House Bill 79 on Third Reading

Senator Hazlewood asked unanimous consent to suspend the regular order of business and take up H. B. No. 79 for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business and take up H. B. No. 79 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—23

Aikin	Moore
Bracewell	Owen
Bradshaw	Phillips
Colson	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood
Moffett	

## Nays—3

Ashley  
Fly

Lock

## Absent

Roberts

## Paired

Senator Parkhouse (present) who would vote Nay, with Senator Fuller (absent) who would vote Yea.

Senator Kazen (present) who would vote Yea, with Senator Martin (absent) who would vote Nay.

The President laid before the Senate on its third reading and final passage H. B. No. 79. (The bill having been read third time on Thursday, April 25, 1957.)

Question—Shall the amendment by Senator Parkhouse to H. B. No. 79 be adopted?

On motion of Senator Parkhouse and by unanimous consent the amendment was withdrawn.

Senator Parkhouse offered the following amendment to the bill:

Amend Section 7(a) of House Bill No. 79 as amended so as to hereafter read as follows:

"Section 7(a). That Section 27(a) of Chapter 325, Acts of the 50th Legislature, 1947, (Vernon's Ann. Civ. St., Article 1269m, Section 27(a)), be and the same is hereby amended to read as follows:

"Section 27(a). Provided, however, that the provisions of this Act as

amended by this H. B. 79, passed at the 55th Regular Session of the Legislature, shall not apply to any city unless such city has already adopted and has in effect the provisions of this Act before the effective date of this amending Act, or unless first determined at an election at which the adoption or rejection of this Act shall be submitted. Upon receiving a petition signed by qualified voters in said city in number not less than ten per cent (10%) of the total number voting in the last preceding municipal election, the governing body of said city shall call an election within sixty (60) days after said petition has been filed with governing body. If at said election a majority of the votes cast shall favor the adoption of this Act said governing body shall put such Act into effect within thirty (30) days after the beginning of the first fiscal year of said city after said election. The question shall be submitted for the vote of the qualified electors as follows:

'FOR the adoption of the Firemen's and Policemen's Civil Service Act'

'AGAINST the adoption of the Firemen's and Policemen's Civil Service Act'

"When any election has been held in a city, at which election the adoption or rejection of Chapter 325, Acts of the 50th Legislature, 1947 (Vernon's Ann. Civ. St., Article 1269m), has been submitted, whether such election has been held prior to the effective date of this amending Act or subsequent thereto, a petition for another such election shall not be filed for at least one year subsequent to the election so held; and said petition for any such election after the first election shall be signed by qualified voters in said city in number not less than Twenty Per Cent (20%) of the total number voting in the last preceding municipal election; and any such election after the first election shall be held at the next general municipal election to be held in such city after the filing of such petition."

#### HAZLEWOOD PARKHOUSE

The amendment was adopted by the following vote:

Yeas—26

Aikin  
Ashley

Bracewell  
Bradshaw

Colson	Moore
Fly	Owen
Gonzalez	Parkhouse
Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Rogers
Krueger	Secrest
Lane	Smith
Lock	Weinert
Moffett	Wood

Nays—1

Willis

Absent

Hardeman

Roberts

Absent—Excused

Fuller

Martin

Senator Fly offered the following amendment to the bill:

Amend House Bill 79 as amended by Senate Floor amendment No. 1 by striking out all of Section 7(a) after the words "as follows": and substituting therefor the following:

"Section 27(a). Provided, however, that the provisions of Chapter 325, Acts of the 50th Legislature, 1947 (Vernon's Ann. Civ. St., Article 1269m), shall not apply to any city which does not now operate under said Chapter until the provisions of said Chapter are adopted at an election at which the adoption or rejection of said provisions has been submitted in accordance with State Law and the City Charter; and provided further, that the provisions of this House Bill 79 shall not apply to any city until the provisions of said House Bill 79 have been first adopted by the governing body of said city or determined at an election at which the adoption or rejection of the provisions of House Bill 79, in toto, have been submitted in accordance with the State Law and the City Charter. Upon receiving a petition signed by qualified voters in said city equal in number to at least ten per cent (10%) of the qualified voters of such city, the governing body of said city shall call an election within sixty (60) days after said petition has been filed with the governing body. If at said election a majority of votes cast shall favor the adoption of the provisions of House Bill 79, said governing body shall put the provisions of House Bill

79 into effect within thirty (30) days after the beginning of the first fiscal year of said city after said election. The question shall be submitted for the vote of the qualified electors as follows:

'FOR the adoption of the proposed revision of the Firemen's and Policemen's Civil Service Act relating to clarification, of personnel, examinations for promotion and vacation.'

'AGAINST the adoption of the proposed revision of the Firemen's and Policemen's Civil Service Act relating to clarification of personnel, examinations for promotion and vacation.'

When an election has been held in a city pursuant to the provisions of House Bill 79, a petition for another election shall not be filed for at least one year subsequent to the election so held."

The amendment was read.

Senator Moffett raised the point of order that the amendment by Senator Fly was out of order in that it seeks to strike out language added by an amendment adopted at the same stage of the bill.

The President sustained the point of order.

The bill was finally passed by the following vote:

Yeas—23

Aikin	Moffett
Bradshaw	Moore
Colson	Owen
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood
Lock	

Nays—4

Ashley	Fly
Bracewell	Weinert

Absent

Roberts

Absent—Excused

Martin

Paired

Senator Parkhouse (present) who

would vote Nay, with Senator Fuller (absent) who would vote Yea.

House Bill 939 on Second Reading

On motion of Senator Phillips and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 939, A bill to be entitled "An Act relating to cities which have annexed territory within water control and improvement or supply districts, where such district lies in more than one city; providing that such cities shall succeed to the powers, duties, assets and obligations of such districts; providing that such districts may be abolished by mutual agreement of the cities wherein such district lies; providing such cities may issue refunding bonds in its own name to refund any obligations assumed by it; making other provisions relating thereto; and declaring an emergency."

The bill was read second time.

Senator Phillips offered the following amendment to the bill:

Amend H. B. 939 by striking out the first sentence of Section 2, and inserting in lieu thereof the following sentence:

Section 2. Such district may be abolished by mutual agreement between the district and the cities wherein such district lies.

The amendment was adopted.

On motion of Senator Phillips and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 939 on Third Reading

Senator Phillips moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 939 be placed on its third and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin

Ashley

Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood
Lock	

Absent

Roberts	Weinert
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Absent—Excused

Fuller	Martin
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lane	

Absent

Roberts	Weinert
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Absent—Excused

Fuller	Martin
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**Reports of Standing Committee**

Senator Phillips by unanimous consent submitted the following reports:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 19, have had the same under consideration, and we are instructed to report it back

to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman.

Austin, Texas,  
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. B. No. 790, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman.

**Senate Joint Resolution 19  
Ordered Not Printed**

On motion of Senator Hardeman and by unanimous consent S. J. R. No. 19 was ordered not printed.

**House Joint Resolution 31  
on Second Reading**

On motion of Senator Reagan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 31, A Joint Resolution "Proposing an amendment to the Constitution of Texas to provide that all county officials for whom four year terms of office were authorized in 1954 must resign such office prior to announcing for a different office when more than one year remains unserved of the term for which they were elected, and providing for the filling of such vacancies in the manner now provided by law."

The resolution was read second time and passed to third reading.

**House Joint Resolution 31  
on Third Reading**

Senator Reagan moved that the Constitutional Rule and Senate Rule 32 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Bracewell
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Bradshaw	Moffett
Colson	Moore
Fly	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Wood
Lock	

Nays—1

Willis

Absent

Ashley	Weinert
Roberts	

Absent—Excused

Fuller	Martin
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The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—24

Ashley	Moffett
Bracewell	Moore
Colson	Owen
Fly	Parkhouse
Gonzalez	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Lock	Wood

Nays—4

Aikin	Hardeman
Bradshaw	Willis

Absent

Roberts

Absent—Excused

Fuller	Martin
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#### House Joint Resolution 4 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. J. R. No. 4, A joint resolution

"Proposing an amendment to Article III of the Constitution of Texas by adding a new section to be known as Section 28a, requiring the Legislature to apportion the State into congressional districts at its first regular session after the publication of each United States decennial census, and providing for a Board to make such apportionments in the event the Legislature fails to do so."

The resolution was read second time.

Question—Shall H. J. R. No. 4 be passed to third reading?

On motion of Senator Fly and by unanimous consent H. J. R. No. 4 was Laid on the Table Subject to Call.

#### House Joint Resolution 36 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. J. R. No. 36, A Joint Resolution "Proposing an Amendment to Section 51a of Article III of the Constitution of the State of Texas by adding a new Subsection to be known as 51a-1; giving the Legislature the power to provide under such limitations and restrictions as may be deemed by the Legislature expedient, for assistance on behalf of persons eligible for Old Age Assistance, Aid to the Blind, and Aid to Dependent Children as provided in Section 51a of Article III, and for persons eligible for Aid to the Permanently and Totally Disabled, etc., and declaring an emergency."

The resolution was read second time.

Question—Shall H. J. R. No. 36 be passed to third reading?

On motion of Senator Fly and by unanimous consent H. J. R. No. 36 was Laid on the Table Subject to Call.

#### Executive Session

On motion of Senator Lock and by unanimous consent, the Senate agreed to hold an executive session at 5:49 o'clock p.m. today.

Accordingly the President directed all those not entitled to attend the executive session of the Senate to re-

tire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Adjutant General: Major General Kearie L. Berry of Denton, Denton County.

To be Assistant Adjutant General: Brigadier General William H. Martin of Waco, McLennan County.

To be members of the Advisory Hospital Council, for term to expire July 17, 1957, to succeed Dr. R. W. Kimbro, resigned: F. S. Walters, Jr., of Amarillo, Potter County. For term to expire July 17, 1959, to fill unexpired term of C. L. McIver, resigned: Mrs. Weldon Strader of Gainesville, Cooke County. For terms to expire July 17, 1961: Dr. C. E. Oswalt, Jr., of Fort Stockton, Pecos County; Sister M. Emery Kavanagh of Austin, Travis County; Fred C. Stone of Beaumont, Jefferson County; Forrest G. Sears of Snyder, Scurry County.

To be State Auditor for a term to expire February 15, 1959: C. H. Cavness of Austin, Travis County.

To be a member of the Battleship "Texas" Commission, to fill the unexpired term of Mr. A. W. Neville, deceased, term to expire May 26, 1957: John Q. Adams of Dallas, Dallas County.

To be Branch Pilot for the Port of Galveston and Texas City, for two-year term to expire April 15, 1959: Ernest E. Lance of Galveston, Galveston County.

To be a member of the Board of Directors, Brazos River Authority, to fill the unexpired term of Honorable A. B. Crawford, deceased, term to expire February 1, 1957: W. O. Manning of Hamilton, Hamilton County.

To be a member of the State Burial Insurance Rate Board, to fill the unexpired term of Marvin Shannon, resigned, term to expire June 21, 1957: F. Byron Crosier of Cleburne, Johnson County.

To be a member of the State Burial

Insurance Rate Board, to fill unexpired term of Jack Corley, resigned, term to expire June 12, 1959: L. E. Foster of Palestine, Anderson County.

To be (lawyer) members of the Texas Civil Judicial Council for terms to expire July 1, 1961: J. F. Hulse of El Paso, El Paso County; G. W. Parker, Jr., of Fort Worth, Tarrant County; John Blair of Beaumont, Jefferson County.

To be members of the Credit Union Advisory Commission for terms to expire December 31, 1958: Jack A. Mitchell of Dallas, Dallas County; O. L. Cannon of Wichita Falls, Wichita County.

To be a member of the State Board of Dental Examiners, to fill the unexpired term of Dr. William T. Gibbs, resigned, term to expire May 24, 1959: Dr. Sam H. Rabon of Kingsville, Kleberg County.

To be members of the State Board of Dental Examiners, for six-year terms to expire May 24, 1963: Dr. Emmett R. Johnson of Dallas, Dallas County; Dr. R. T. Weber of Austin, Travis County.

To be member of the Fannin State Park Commission for term to expire September 5, 1961: Mrs. Louise Donoghue of Goliad, Goliad County.

To be a member of the Good Neighbor Commission to fill the unexpired term of Neville Penrose, resigned, term to expire June 19, 1957: R. L. Wheelock of Corsicana, Navarro County.

To be Commissioner of Labor Statistics, for a two-year term to expire January 31, 1959: M. B. Morgan of Austin, Travis County.

To be a member of the Library and Historical Commission for term to expire September 28, 1961: John P. Morgan of Dallas, Dallas County.

To be a member of the Board of Mansion Supervisors for term to expire January 1, 1962: Mrs. J. S. Abercrombie of Houston, Harris County.

To be a member of the State Planning Committee to fill unexpired term of Claude D. Wilson of Austin, resigned: A. F. Jones of Austin, Travis County.

To be a member of the Texas Real

Estate Commission for term to expire October 5, 1961: E. Morgan Townsen of Fort Worth, Tarrant County.

To be a member of the South Central Interstate Forest Fire Protection Compact Advisory: J. Webb Pedigo of Jasper, Jasper County.

To be members of the Texas Surplus Property Agency for terms to expire October 31, 1957: Theos. S. Morck of Seguin, Guadalupe County; Clyde Arnold of Nacogdoches, Nacogdoches County; C. Read Granberry of Austin, Travis County; Dr. R. L. Williams of Corpus Christi, Nueces County; Wendell T. Siebert of Eastland, Eastland County; C. A. Robertson, Jr., of Alpine, Brewster County; Father James A. Donnelly of Lampasas, Lampasas County; Ed Riedel of Austin, Travis County; O. G. Hereford of Austin, Travis County.

To be members of the Commission on Uniform State Laws for terms to expire July 7, 1957: Gus Hodges of Austin, Travis County, to fill unexpired term of Charles T. McCormick, resigned; A. J. Folley of Amarillo, Potter County, to fill unexpired term of Lucian Morehead of Plainview, resigned; Talbot Rain of Dallas, Dallas County, to fill unexpired term of Joe Estes, resigned.

To be a member of the Highway Commission for a term to expire February 15, 1963: Charles F. Hawn of Athens, Henderson County.

To be Chairman of the Highway Commission for a term to expire February 15, 1959: Marshall Formby of Plainview, Hale County.

To be Judge of the District Court of the 36th Judicial District: John H. Miller of Sinton, San Patricio County.

To be District Attorney of the 36th Judicial District: Joe Caldwell of Rockport, Aransas County.

To be members of the Texas Turnpike Authority, for terms to expire February 15, 1963: Bert Fields of Dallas, Dallas County; Armistead Rust of San Angelo, Tom Green County.

To be members of the Board of Nurse Examiners, for terms to expire April 9, 1963: Mrs. Wanda Reed of Amarillo, Potter County; Mrs. Faye Saye of Houston, Harris County.

To be members of the Guadalupe-Blanco River Authority, as designated by the Board of Water Engineers, for terms to expire February 1, 1963: R. C. Barton of Seadrift, Calhoun County; Howard C. McKerna of New Braunfels, Comal County; Lawrence Wood of Refugio, Refugio County.

To be members of the San Antonio River Authority, for terms to expire May 5, 1963: Melrose Holmgreen of San Antonio, Bexar County; B. B. McGimsey of San Antonio, Bexar County; John C. Merchant of Floresville, Wilson County.

To be members of the Jackson County Flood Control District, for terms to expire May 20, 1959: S. B. Allen of Edna, Jackson County; Allen L. Burditt of Edna, Jackson County; C. M. Dugger, Jr., of Edna, Jackson County; Arvie Elliott of Edna, Jackson County; Arnold Koop of Edna, Jackson County; Chester Spencer of Ganado, Jackson County; Harrison Stafford of Edna, Jackson County.

#### In Legislative Session

The President called the Senate to order as in Legislative Session at 6:25 o'clock p.m. today.

#### Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill subject to the provisions of Section 49A of Article III of the Constitution of the State of Texas:

H. B. No. 133, A bill to be entitled "An Act appropriating money for the support of the judicial and executive branches of the State Government, for State aid to designated public junior colleges, for the two-year period beginning Sept. 1, 1957, and ending Aug. 31, 1959; authorizing and prescribing conditions, limitations, rules, and procedures, for allocating and expending the appropriated funds; and declaring an emergency."

(Senator Hardeman in the Chair.)

#### Report of Standing Committee

Senator Colson by unanimous consent submitted the following report:

Austin, Texas,  
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 194, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

**House Concurrent Resolution 107  
Ordered Not Printed**

On motion of Senator Rogers and by unanimous consent H. C. R. No. 107 was ordered not printed.

(President in the Chair.)

**House Bill 265 on Third Reading**

The President laid before the Senate on its third reading and final passage:

H. B. No. 265, A bill to be entitled "An Act amending Section 1, Chapter 196, Acts of the Forty-third Legislature, Regular Session, 1933, as amended by Chapter 218, Acts of the Fiftieth Legislature, Regular Session, 1947, respecting the rates of tuition or registration fees to be charged by the institutions of higher education supported in whole or in part by the public funds appropriated from the State Treasury; etc., and declaring an emergency.

The bill was read third time.

(Pending discussion by Senator

Phillips of H. B. No. 265, Senator Hardeman occupied the Chair.)

(President in the Chair.)

The bill was then passed by the following vote:

**Yeas—15**

Ashley	Owen
Bracewell	Parkhouse
Fly	Ratliff
Hardeman	Reagan
Hudson	Secrest
Lane	Weinert
Lock	Wood
Moffett	

**Nays—13**

Aikin	Krueger
Bradshaw	Moore
Colson	Phillips
Gonzalez	Rogers
Hazlewood	Smith
Herring	Willis
Kazen	

**Absent**

Roberts

**Absent—Excused**

Fuller

Martin

**Adjournment**

On motion of Senator Hardeman the Senate at 7:18 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

**In Memory of**

**Sam Stripling, Sr.**

---

Senator Lock offered the following resolution:

(Senate Resolution 558)

Whereas, In the passing of Sam Stripling, Sr., on May 12, 1957, the people of Nacogdoches County and the entire East Texas area lost one of their most honored and respected citizens; and

Whereas, Sam Stripling, Sr., born in Nacogdoches County in 1872, has been one of Nacogdoches' leading businessmen since the establishment of a retail drug business more than a half century ago; and

Whereas, His passing is mourned not only by his family but the entire community and East Texas area; now, therefore, be it

Resolved by the Senate of the State of Texas, That tribute be paid to a Texan whose life's work benefitted not only his native city but his state as well, and, be it further

Resolved, That the sincere sympathy of the members of the Senate of the State of Texas be extended to his wife, Mrs. Josie Wright Stripling, and other members of his family and that copies of this resolution be sent to them as a token of our respect and sympathy.

The resolution was read and was adopted by a rising vote of the Senate.

## In Memory of Dr. Harry G. Knowles

Senator Bracewell offered the following resolution:

(Senate Resolution 559)

Whereas, Almighty God, in His infinite wisdom and mercy, did make of March 21, 1957, a day of rejoicing in Heaven by welcoming at the Pearly Gates, Dr. Harry G. Knowles, pastor emeritus of the First Christian Church of Houston, Texas, who achieved a Biblical three-score and ten years of activity on this earth, beginning life at Salina, Kansas on November 11, 1886; and

Whereas, Harry as a young man early in life felt the call to preach the gospel and while employed in the Topeka railroad shops devoted his lunch period to preaching to his fellow workers; and

Whereas, Dr. Knowles' early college and ministerial education was financially assisted by Christian Endeavor members while he attended Cottner University, where he met and married the charming and beautiful Miss Lavinia C. Cox when each of them were about 19 years old. Leaving school Dr. Knowles became associated with the late Billy Sunday as a singing evangelist. His initial call was to a church at Edwardsville, Kansas, later he served at North Platte, Nebraska, where the colorful Buffalo Bill Cody was among his parishioners. In 1920 he was called to the First Christian Church of Little Rock, Arkansas. During his seven years of service there, under his dynamic leadership, was organized an Interdenominational men's Bible Class which had an average Sunday attendance of 500 and the Easter Sunrise Service sponsored by the Class grew to over 10,000 in attendance; and

Whereas, This "Human Dynamo" for God was called to the First Christian Church of Houston, Texas, in 1927 and soon became known as the Radio Parson. His regular Saturday night friendly family religious talks became one of the most popular programs of its time. Sincerity of purpose was evident to all who heard or saw Harry Knowles and many community enterprises soon took advantage of his services. He served as police chaplain 19 years, traffic club chaplain 19 years and chaplain of Arabia Temple Shrine for many years. Love and Charity for all was his watchword and multitudes of friends and strangers alike sought his warm smile, friendly handshake and understanding counsel and advice; and

Whereas, Dr. Knowles was loved and respected and admired by all who knew him at First Church, Houston, he served 25 years actively and 7 years as pastor emeritus and on retirement he had married 2845 couples including all 5 of his children and had officiated at more than 2000 funerals and had baptized 2198 converts; and

Whereas, Dr. Knowles was a trustee of Texas Christian University where he received his L. L. D.; a member of the executive committee of Texas Missionary Society; Past president of the Houston Ministers Association, Arabia Temple Shrine, Scottish Rite Bodies, Knight Commander of the Court of Honor, Masonic Grey Lodge No. 329 and an honorary member of the Downtown Rotary Club. During his ministry he inaugurated an annual fellowship meeting with the First Methodist Church and also with Temple Beth Israel which annual meetings still obtain. By reputation, he participated in all causes for human tolerance and brotherhood, for non-partisan community advancement including the Salvation Army, the Community Chest, the Inter-racial Committee and the Industrial Labor Committee. His prayers, encouragement and support were sought after and received by all avenues of activity. His every hour received demands for counsel and advice, for his leadership and messages, at dinners, conventions and particularly church functions of both adult and youth groups; and

Whereas, Dr. Knowles is survived by his widow, Mrs. Harry G. Knowles; two daughters, Mrs. Gene Rogers and Mrs. Henry M. Faust; three sons, Edward G. Knowles, Harry G. Knowles, Jr. of Houston, Texas, and Rev. John C. Knowles, who has so ably succeeded his father as pastor at First Christian Church; three brothers, Walter Knowles of Cleveland, Ohio, Donald Knowles of Chicago, Ill., James Knowles; fifteen grand children and four great grand children; now, therefore, be it

Resolved, That the passing of this outstanding man of God be fittingly recognized by the citizens of Texas and that the Senate of Texas desires to acclaim and pay tribute to Harry G. Knowles as a great and a good man true to his God and his country and do express our deepest sympathy to those bereaved and do forward to them copies of this resolution and do set aside in today's Journal a page in everlasting dedication and that when the Senate adjourns this day it does so in living memory and respect to Dr. Harry G. Knowles.

The resolution was read and was adopted by a rising vote of the Senate.

**In Memory of**  
**Russel H. Markwell**

---

Senator Phillips offered the following resolution:

(Senate Resolution 561)

Whereas, In the passing of Russel H. Markwell, of Galveston, Texas, from his earthly life on May 7, 1957, the State of Texas, and in particular the people of Galveston County and the City of Galveston, have suffered an irreparable loss; and

Whereas, Russel H. Markwell was a former district judge, county judge and county clerk, and was well-known as one of the state's outstanding trial attorneys; and

Whereas, He was one of the principal leaders in the legal fight to obtain federal compensation for victims of the 1947 Texas City disaster; and

Whereas, He was a past president of the Galveston County Bar Association and chairman of the Galveston Airport Commission; and

Whereas, He was one of the leaders in the legal profession and was highly honored by all who were privileged to know him; and his unselfish devotion to his community has contributed greatly to the betterment of the State of Texas; and

Whereas, Russel H. Markwell is survived by his widow; now, therefore, be it

Resolved, That when the Senate adjourns today it do so in his memory and that a page in the permanent Senate Journal be devoted to the recording of this resolution; and be it further

Resolved, that enrolled copies be forwarded to his widow as a token of respect and sympathy.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of  
**Jesse Thomas Rollins**

---

Senator Roberts offered the following resolution:

(Senate Resolution 568)

Whereas, On April 25, 1957, Our Almighty Father, in his infinite wisdom did call from his earthly labors to his eternal reward, Jesse Thomas (Dough) Rollins of McKinney, Collin County, Texas; and

Whereas, Mr. Rollins was the son of J. Mart and Nancy Rebecca Bolling Rollins, born March 16, 1898, at Merit, Hunt County, Texas; and

Whereas, He received his B.S. and M.S. Degrees from Texas A. & M. College, and served as Principal, Athletic Coach, Vocational Agriculture and Science Teacher of Jasper High School from 1921-23; and he taught in the first Vocational Agriculture School Circuit organized in Texas, serving in that capacity from 1923-25. He moved to Farmersville, Texas, in July, 1925, where he was High School Athletic Coach and Vocational Agriculture Teacher; and in 1929 he was football and track coach and vocational teacher in Boyd High School, McKinney, Texas, where he served four years in that capacity, after which he devoted his full time to work as an Agriculture teacher which place he held for twenty-four years; and

Whereas, The Senate of Texas takes note of the fact that Jesse Thomas Rollins was active in many civic capacities; he was past president of the Texas State Vocational Agriculture Teacher's Association and has also served as director for many years, receiving every honor which the Association had to give. He was an honorary Lone Star Farmer in his work with Future Farmers of America, having held the record for continuous teaching in the Agriculture field. In 1956, he received an award for thirty-five years of outstanding service; he left this field and became Principal of J. W. Webb Elementary School, McKinney, Texas. During his twenty-eight years of teaching in Boyd High School in McKinney, Texas, he devoted much time to the counseling of high school students and served as sponsor of the Student Council for nine years. He was past president of the McKinney Classroom Teachers' Association; he was a Knight Templar Mason, Shriner and a member of the Lions Club and was also active in the First Methodist Church, having served on the Board of Stewards continuously, with the exception of one year, since 1923; and

Whereas, Mr. Rollins is survived by his wife, Mrs. Parralee Hendrix Rollins, to whom he was married at Teague, Texas; one son James Hendrix Rollins, a teacher in Ozona High School; and a daughter, Mrs. Nancy Rollins Smith, of College Station, Texas; one grandchild, Patty Dorine Smith of College Station; four brothers, A. P. Rollins, Garland; J. G. Rollins, Dallas; M. E. Rollins, Dallas; J. W. Rollins, Commerce; and three sisters, Mrs. A. F. Parks, Seagoville; Mrs. Jackson Massey, Commerce; and Mrs. B. R. Smith, Dallas; now, therefore, be it

Resolved, That it is the desire of the Senate of the Fifty-fifth Legislature to pay tribute to this fine citizen and his family and that a page in the permanent Senate Journal be devoted to the recording of this Resolution; and, be it further

Resolved, That enrolled copies of this resolution be forwarded to the surviving members of his family as a token of respect and sympathy.

ROBERTS

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Secrest and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.